

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 4:04-CV-40252-FDS

PETERBOROUGH OIL COMPANY,  
INC., et al.,

Plaintiffs

v.

GREAT AMERICAN INSURANCE  
COMPANY,

Defendant

**DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT**

Defendant, Great American Insurance Company, hereby moves pursuant to Fed.R.Civ.P. 56(b) for judgment in its favor and against Plaintiffs. As grounds therefor, Defendant states that the pleadings and exhibits establish that there is no genuine issue of material fact and that Defendant is entitled to judgment as a matter of law, as set forth more fully in Defendant's Brief filed herewith.

GREAT AMERICAN INSURANCE  
COMPANY

By its Attorneys,

Date:

March 17, 2005



David D. Dowd, BBO#132660

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**REQUEST FOR ORAL ARGUMENT**

If not allowed on the papers, Defendant requests a brief hearing, pursuant to L.R.  
Rule 7.1(D).

GREAT AMERICAN INSURANCE  
COMPANY

By its Attorneys,

Date:

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